

JP:TMS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-09-657

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 18, U.S.C. § 1542)

JOSE LUIS RECOBA,
also known as
"Jose Ramon Ortiz,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

HENRY LAM, being duly sworn, deposes and says that he is an Enforcement Officer with the United States Customs and Border Protection ("CBP"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 6 2009, within the Eastern District of New York, the defendant, JOSE LUIS RECOBA, also known as "Jose Ramon Ortiz," did knowingly and willfully use and attempt to use a passport the issue of which was secured in any way by reason of any false statement.

(Title 18, United States Code, Section 1542)

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause, I have not set forth all the facts and circumstances of which I am aware.

1. On July 9, 2009, at approximately 2:52 a.m., the defendant, JOSE LUIS RECOBA, also known as "Jose Ramon Ortiz," arrived at John F. Kennedy International Airport on Lacsca Flight 660, from San Jose, Costa Rica. The first leg of the defendant's flight, Lacsca Flight 610, originated in Lima, Peru.

2. The defendant, JOSE LUIS RECOBA, also known as "Jose Ramon Ortiz," presented United States passport 430759439, in the name of Jose R. Ortiz, date of birth September 19, 1957, to a United States Customs and Border Protection ("CBP") officer. The passport lists Jose Ramon Ortiz's place of birth as Puerto Rico.

3. The defendant, JOSE LUIS RECOBA, also known as "Jose Ramon Ortiz," was referred for a secondary inspection by CBP officers based on his apparent lack of ties to Peru. The defendant JOSE LUIS RECOBA was asked a number of questions regarding his ties to Peru and Puerto Rico.


4. During the secondary inspection the defendant admitted that his true name was JOSE LUIS RECOBA. He also admitted that he was a citizen of Peru and that his true date of birth was January 3, 1966.

5. The defendant stated that he purchased a birth certificate and Social Security card in New Jersey, in the name of Jose Ortiz from a person he knew as "Luis" for \$300.00 dollars. The defendant JOSE LUIS RECOBA stated further that

"Luis" told him that Jose Ortiz was a real person who lives in Puerto Rico, and that he did not come to the United States. The defendant JOSE LUIS RECOBA stated that he used these fraudulently obtained documents to apply for a New Jersey driver's license. He stated further that he used that driver's license, along with the birth certificate and Social Security card, to apply for a United States passport 430759439.

6. Records maintained by the United States Department of State reflect that the defendant JOSE LUIS RECOBA submitted an application for a passport, dated August 17, 2007, bearing his photograph, at a post office in New Jersey.

WHEREFORE, your deponent respectfully requests that the defendant JOSE LUIS RECOBA, also known as "Jose Ramon Ortiz," be dealt with according to law.



HENRY LAM
Enforcement Officer
United States Customs and Border
Protection

Sworn to before me this
7th day of July, 2009

LAK
JGE
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